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Date of Signature and Deposit: July 16, 2002

  
Bennett J. Benson

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7/31/02

# PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John A. T. Young  
Kenneth A. Bradley  
R. John Collier  
Jeremy S. Mogridge

Date: July 16, 2002

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Serial No.: 09/970,076

Group Art Unit: 1645

Filed: 10/03/2001

Examiner: Nita M. Minnifield

Title: RECEPTOR FOR B. ANTHRACIS TOXIN

File No.: 960296.97745

## RESPONSE TO A REQUIREMENT FOR RESTRICTION AND ELECTION

Commissioner For Patents  
Box Non-Fee  
P O Box 2327  
Arlington, VA 22202

Dear Sir:

In an Office Action mailed May 28, 2002, the Examiner in charge of the application imposed a six-way requirement for restriction and required an election of species. The restriction requirements are set forth in paragraph 1 of the Office Action. Applicants note an error in Group VI. Group VI should refer to Claim 18, drawn to a cultured cell, rather than to Claim 19. Claim 19 is already placed into Group II by the Examiner.

In response, applicants provisionally elect Group II, with traverse. The requirement is traversed insofar as the provisionally elected claims of Group II, drawn to polynucleotides, recite that the polynucleotides encode the polypeptide sequences of Group I. Accordingly, a complete search by the Examiner will require the Examiner to look for the polypeptide sequences of Group I. Accordingly, it is no additional burden upon the Examiner to consider

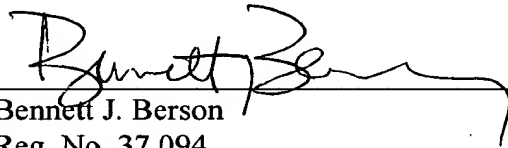
both groups together, while, in contrast, the restriction of these claims into two separate patents imposes a substantial burden upon the applicants.

The Examiner also required an election of a single sequence ID number. In response, applicants elect SEQ ID NO.:1. Claims that read upon the elected SEQ ID NO.:1 include Claims 5-11.

Consideration of the merits of this patent application is respectfully requested.

A petition for an extension of time for one month accompanies this response so the response will be deemed to have been timely filed. Should any additional extension of time be required, please consider this to be a request for the appropriate extension of time and a request to charge the fee due to Deposit Account No. 17-0055. Likewise, no other fee is believed due in connection with this response. However, should any fee be due, please charge the fee to the same deposit account.

Respectfully submitted,

  
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